

**ASSEMBLY BILL**

**No. 1535**

---

---

**Introduced by Assembly Member Halderman**

January 24, 2012

---

---

An act to amend Section 21655.5 of the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1535, as introduced, Halderman. Highway signs: high occupancy vehicle lanes.

Existing law directs the Department of Transportation and certain local authorities to erect and maintain signage along state and county highways that designate certain traffic lanes as high-occupancy vehicle (HOV) lanes and specify conditions for their use.

This bill would require the department or local authority, when replacing signs designating HOV lane use in an area that permits motorcycles to use those lanes, to include language on the new sign stating that motorcycles are permitted in the HOV lanes.

Because this bill would increase the duties of local authorities, it would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21655.5 of the Vehicle Code is amended  
2 to read:

3 21655.5. (a) The Department of Transportation and local  
4 authorities, with respect to highways under their respective  
5 jurisdictions, may authorize or permit exclusive or preferential use  
6 of highway lanes for high-occupancy vehicles. Prior to establishing  
7 the lanes, competent engineering estimates shall be made of the  
8 effect of the lanes on safety, congestion, and highway capacity.

9 (b) (1) The Department of Transportation and local authorities,  
10 with respect to highways under their respective jurisdictions, shall  
11 place and maintain, or cause to be placed and maintained, signs  
12 and other official traffic control devices to designate the exclusive  
13 or preferential lanes, to advise motorists of the applicable vehicle  
14 occupancy levels, and, except where ramp metering and bypass  
15 lanes are regulated with the activation of traffic signals, to advise  
16 motorists of the hours of high-occupancy vehicle usage. No person  
17 shall drive a vehicle upon those lanes except in conformity with  
18 the instructions imparted by the official traffic control devices. A  
19 motorcycle, a mass transit vehicle, or a paratransit vehicle that is  
20 clearly and identifiably marked on all sides of the vehicle with the  
21 name of the paratransit provider may be operated upon those  
22 exclusive or preferential use lanes unless specifically prohibited  
23 by a traffic control device.

24 (2) *The department or local authority, when replacing a sign*  
25 *designating high-occupancy vehicle (HOV) lane usage in an area*  
26 *that permits motorcycles to use the HOV lane, shall include*  
27 *language on the new sign indicating that motorcycles are permitted*  
28 *to use the HOV lane.*

29 (c) When responding to an existing emergency or breakdown  
30 in which a mass transit vehicle is blocking an exclusive or  
31 preferential use lane, a clearly marked mass transit vehicle, mass  
32 transit supervisor’s vehicle, or mass transit maintenance vehicle  
33 that is responding to the emergency or breakdown may be operated  
34 in the segment of the exclusive or preferential use lane being  
35 blocked by the mass transit vehicle, regardless of the number of  
36 persons in the vehicle responding to the emergency or breakdown,  
37 if both vehicles are owned or operated by the same agency, and  
38 that agency provides public mass transit services.

1 (d) For purposes of this section, a “paratransit vehicle” is defined  
2 in Section 462.

3 (e) For purposes of this section, a “mass transit vehicle” means  
4 a transit bus regularly used to transport paying passengers in mass  
5 transit service.

6 (f) It is the intent of the Legislature, in amending this section,  
7 to stimulate and encourage the development of ways and means  
8 of relieving traffic congestion on California highways and, at the  
9 same time, to encourage individual citizens to pool their vehicular  
10 resources and thereby conserve fuel and lessen emission of air  
11 pollutants.

12 (g) The provisions of this section regarding mass transit vehicles  
13 and paratransit vehicles shall only apply if the Director of  
14 Transportation determines that the application will not subject the  
15 state to a reduction in the amount of federal aid for highways.

16 SEC. 2. If the Commission on State Mandates determines  
17 that this act contains costs mandated by the state, reimbursement  
18 to local agencies and school districts for those costs shall be made  
19 pursuant to Part 7 (commencing with Section 17500) of Division  
20 4 of Title 2 of the Government Code.